

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Marquail Lamont Currie

Docket No. 5:16-CR-78-2FL

Petition for Action on Supervised Release

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Marquail Lamont Currie, who, upon an earlier plea of guilty to Transfer of a Firearm to a Prohibited Person, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on September 8, 2016, to the custody of the Bureau of Prisons for a term of 37 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Marquail Lamont Currie was released from custody on June 25, 2018, at which time the term of supervised release commenced.

On July 16, 2018, a Violation Report was submitted to the court advising that the defendant had admitted to using cocaine on or about June 26, 2018, a day after his release from imprisonment. Supervision was continued with a referral for substance abuse treatment and placement in the Surprise Urinalysis Program made by the probation officer.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant failed to submit to three drug tests during the months of July and August 2018. He also failed to attend treatment for three to four weeks. When the probation officer confronted the defendant about his noncompliance on August 27, 2018, the defendant claimed he had not missed a test, and he claimed he had no transportation to attend substance abuse treatment. The defendant was instructed to submit to testing on August 28, 2018, and that test returned positive for the use of cocaine. After meeting with the defendant at his residence, the defendant admitted that he had used cocaine. On a positive note, the defendant returned to substance abuse treatment following the meeting with the probation officer in August. The defendant also submitted to testing on September 12, 2018, and the results of that test were positive for the presence of marijuana and cocaine. Additionally, the defendant has failed to provide the probation officer with a written weekly report upon request of his attempts to secure employment. In an effort to bring about compliance one last time, it is recommended the defendant be placed on a curfew, with location monitoring, for a period not to exceed 60 days. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 60 consecutive days. The defendant is restricted to their residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/ Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8808
Executed On: September 25, 2018

ORDER OF THE COURT

Considered and ordered this 26th day of September, 2018, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge